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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/995,707	
	Filing Date	November 29, 2001	
	First Named Inventor	Gordon KERR, et al.	
	Art Unit	2681	
	Examiner Name		
Total Number of Pages in This Submission	7	Attorney Docket Number	PAT 2688-2

ENCLOSURES (Check all that apply)		
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Firm Name	Borden Ladner Gervais LLP		
Signature			
Printed name	Jeffrey M. Measures		
Date	July 13, 2005	Reg. No.	40,272

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Date	July 13, 2005

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: KERR, Gordon; PILLAR, John, F.; LENGACHER, Allen, W.  
Serial No.: 09/995,707  
Filed: November 29, 2001  
Title: STREAM SWITCH FABRIC  
Group: 2661  
Examiner:  
Attorney Ref.: PAT 2688-2 US

July 13, 2005

Commission of Patents  
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Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, the applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

**I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION**

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449, attached hereto.

**II. COPIES**

**(check at least one box)**

- ☒ a. No U.S. patent or published application copies are enclosed.  
Where applicable, submitted herewith is a legible copy of (i) each Foreign patent or application; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.

United States Patent Application Serial No. 09/995,707  
Page 1 of 5  
PAT 2688-2

- ☐ b. Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

**III. CONCISE EXPLANATION OF THE RELEVANCE**  
(check at least one box)

- ☒ a. DOCUMENTS IN THE ENGLISH LANGUAGE  
The attached patents, publications, or other information in the English language do not require a statement of relevancy.
- ☐ b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE  
A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:
- ☐ c. ENGLISH LANGUAGE SEARCH REPORT  
An English language version of the search report or action that indicates the degree of relevance found by the foreign Patent Office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(A) (3).
- ☐ d. OTHER  
The following additional information is provided for the Examiner's consideration.

**IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97 (b):**  
(check one box)

- ☐ a. Within three months of the filing date of a national application (37 C.F.R. § 1.97 (b) (1)). No fee or statement is required. (This section is not to be used with RCE's AND CPA's.)
- ☐ b. Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97 (b) (2)). No fee or statement is required.
- ☐ c. Concurrently with the filing of a Continued Prosecution Application under 37 C.F.R. § 1.53 (d) or concurrently with the filing of a Request

United States Patent Application Serial No. 09/995,707  
Page 2 of 5  
PAT 2688-2

for Continued Examination under § 1.114 (37 C.F.R. § 1.97 (b) (4)). No fee or statement is required.

- ☒ d. Before the mailing date of a first Action on the merits (37 C.F.R. § 1.97 (b) (3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97 (e) below, or, if no statement has been made, charge our deposit account in the amount of **\$180.00** as required by 37 C.F.R. § 1.17 (p).
- ☐ e. Before the mailing date of a first Action on the merits (37 C.F.R. § 1.97 (b) (4)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97 (e) below, or, if no statement has been made, charge our deposit account in the amount of **\$180.00** as required by 37 C.F.R. § 1.17 (p).

**V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97 (c):**  
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- ☐ a. No statement; therefore, a fee in the amount of **\$180.00** as required by 37 C.F.R. § 1.17 (p).
- ☐ b. See the statement below. No fee is required.

**VI. STATEMENT UNDER 37 C.F.R. § 1.97 (e)**  
(check only one box)

The undersigned hereby states that

- ☐ a. Each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS;
- ☒ b. No item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, but the items were cited during the prosecution of United States patent Application No. 09/995,697."

United States Patent Application Serial No. 09/995,707  
Page 3 of 5  
PAT 2688-2

- ☐ c. Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in the 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this statement.

**VII. PAYMENT OF FEES**

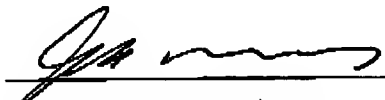
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- ☐ Please charge Deposit Account No. 501593 in the amount required by 37 C.F.R. § 1.17 (p) for the above-indicated fee. A duplicate copy of this paper is attached.
- ☒ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 501593.

If the preceding amount is incorrect, any deficiency or overpayment should also be charged or credited to Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP.

Respectfully submitted,  
Gordon KERR, et al.

  
By: Jeffrey M. Measures  
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JMM/MWB/mwb

Encl.

☒ PTO-1449

<b>Form PTO-1449</b>  <b>SUPPLEMENTAL OR INFORMATION DISCLOSURE STATEMENT</b>				<b>Complete if Known</b>	
				<b>Application No.:</b> 09/995,707	
				<b>Filing Date:</b> November 29, 2001	
				<b>First Named Inventor:</b> Gordon KERR, et al.	
				<b>Group Art Unit:</b> 2661	
<b>Examiner Name:</b>					
<b>Sheet</b>	1	<b>of</b>	1	<b>Attorney Docket No.:</b>	PAT 2688-2

## U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document No.	Date of Publication mm-dd-yyyy	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		6,804,698	10-12-2004	Richards, et al.	
		6,606,666	08-12-2003	Bell, Jr., et al.	
		6,744,815	06-01-2004	Sackstein, et al.	
		5,303,302	04-12-1994	Burrows	
		6,744,776	06-01-2004	Kalkunte, et al.	

## U.S. PUBLISHED APPLICATION DOCUMENTS

Examiner Initials	Cite No.	Document No.	Date of Publication mm-dd-yyyy	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

## FOREIGN PATENT DOCUMENTS

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## OTHER DOCUMENTS

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<b>Examiner Signature:</b>	<b>Date Considered:</b>
<b>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.</b>	